

REMARKS

Claims 1-63 are pending in the application.

Claims 1-63 have been rejected.

Claims 1, 16, 28, 37, and 52 have been amended as indicated above.

No new matter has been added.

Reconsideration of the Claims is respectfully requested.

1. Rejection under 35 U.S.C. Section 102

Claims 1-63 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Published Application No. 2004/0172658 to Rakib et al. ("Rakib").

- A. *the expandable modular gateway of Rakib maintains individual identity of the content sources, and does not recite, inter alia, channel mixing in a multimedia system that identifies a channel of interest as set out in Applicant's claims*

Rakib notes that "a consumer will not know whether to buy a gateway that can interface to an ADSL modem or an HDSL modem or a cable modem until the bugs are worked out and competitive factors come into play and make it clear which delivery network provides the best, lowest cost service for this application." (Rakib ¶ 0014).

In this regard, Rakib recites an "expandable gateway construction which interfaced any one of a number of external networks and subscription services to peripheral devices in a customer premises coupled to the gateway by one or more local area networks. Such a modular gateway species would have as many shared components as possible including a network interface to drive a local area network that communicates digital data of various services and a routing process and possibly an IP packetization process running on the host computer. However, expandability would be provided by interfacing the gateway to one or more external networks *using modular plug-in expansion circuits or modules to implement the unique interfaces with various types of data delivery networks.*" (Rakib ¶ 0022).

Figure 3 of Rakib is "a diagram of a home network . . . which couples any one of a number of different subscriber service data delivery networks . . . to one or more local

Applicant respectfully submits that the gateway device of Rakib does not identify a channel of interest, but instead, that Rakib serves to generally route any and all data, whether satellite, cable modem, or terrestrial. That is, the gateway device of Rakib does not identify a channel of interest from a set of selected channels.

Generally, Rakib recites either that packet data is forwarded on, or data not ever in IP packet format is encapsulated into IP packets addressed to a network adapter. (*see* Rakib ¶¶ 0131 (telephone calls digitized into IP packets), 0184 (either reassembles the IP packet if it was an IP packet but was broken up for transmission or encapsulates the data into an IP packet if it never was in an IP packet format)). Rakib does not recite, *inter alia*, combining, by a channel mixer, the generic data of each channel of a set of selected channels into a stream of data.

Accordingly, Rakib does not recite channel mixing in a multimedia system that identifies a channel of interest, reduces it to generic data that is combined in a data stream, and then is accessible by a client device based upon specific channel selection request. Instead, Applicant respectfully submits that Rakib delivers signal content that retain their individual and distinct channels and that are not combined by a channel mixer in a data stream.

B. *Applicant's claims directed to channel mixing in a multimedia system, whereas Rakib does not recite such elements*

The reference to “mixing” in the Office Action is recited as “a device used to simultaneously combine and blend several inputs into one or two outputs.” (Office Action at page 2). Applicant respectfully submits that this general language does not correspond to the “complete detail” as is contained in the its claims.

The Office Action equates packetization to combining (Office Action at page 4); however, Rakib does not recite combining, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data. Further, packetization is distinguished as set out in Applicant's claims as a form of transmission for the stream of

data resulting from combining, by a channel mixer, the generic data of each channel of the set of selected channels.

As described in Applicant's Specification, a "multimedia server 88 includes a tuning module 240, a channel mixer 242, a transceiving module 246 and a control module 244." (Specification at page 46, *ll.* 24, to page 47, *ll.* 1-2). The "channel mixer 242 processes the set of channels 254 by converting the data of each multimedia source into generic data. *The generic data is converted into a specific format video data, which is then combined into a stream of channel data 256.* The transceiving module 246 receives the stream of channel data 256 and *packetizes it for transmission as packets of data 268.*" (Specification at page 48, *ll.* 21-24, to page 49, *ll.* 1-3) (emphasis added).

As an example, the Specification recites that "[i]f the data for the channel of interest is audio data, the processor 396 converts the formatted of audio data from its original format into generic audio data, such as MPEG formatted audio data, MP3 formatted data, and/or PCM digitized audio data." (Specification at page 67, *ll.* 11-15). As another example, the Specification recites that "if the channel of interest corresponds to video data received from one of the multimedia sources, the processor converts the specific formatted video data (e.g., MPEG II) of the multimedia source into a generic video data. Such generic video data may be formatted as MPEG video data, JPEG data, M-JPEG video data, digital RGB data and/or digital YCBCR data." (Specification at page 67, *ll.* 3-9).

In kind, Applicant's amended Claim 1 as amended recites a "method for channel mixing in a multimedia system, the method comprises: receiving, from a multimedia source, *a set of selected channels* as encoded channel data; interpreting the encoded channel data to *identify a channel of interest of the set of selected channels based on a specific channel selection request*, wherein each channel of the set of selected channels has a data type; processing the encoded channel data, which includes *data* of the channel of interest based on the data type to produce generic data for each channel of the set of selected channels; *combining, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data*; and *transmitting the stream of data to a*

plurality of client devices, wherein the channel of interest is accessible from the stream of data by a client device of the plurality of client devices based upon the specific channel selection request.” (emphasis added).

Also, Applicant’s amended Independent Claim 16 as amended recites, *inter alia*, a “method for channel mixing in a multimedia system, the method comprises: receiving, from a multimedia source, a set of selected channels-as encoded channel data; *interpreting the encoded channel data to identify a data type of a channel of interest contained within the set of selected channels based on a specific channel selection request*, wherein each channel of the set of selected channels has a data type; separating the channel of interest from the set of selected channels based on the type of data; processing the encoded channel data and the data of the channel of interest based on the data type to produce generic data for each channel of the set of selected channels; *combining, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data*; and *transmitting the stream of data to a plurality of client devices, wherein the channel of interest is accessible by a client device of the plurality of client devices based upon the specific channel selection request.” (emphasis added).*

In addition, Applicant’s amended Independent Claim 28 as amended recites, *inter alia*, a “channel mixer for use in a multimedia system, the channel mixer comprises: stream parsing module operably coupled to receive, from a multimedia source, a set of selected as encoded channel data, wherein the stream parsing module generates *generic data for each channel of the set of selected channels and identifies at least one of the channels based on a specific channel selection request*; and data transcoding module operably coupled to *combine, by a channel mixer, the generic data of the at least one channel into a stream of data having a specific data format for transmission of the data stream to a plurality of client devices*, wherein the at least one identified channel is accessible from the data stream by a client device of the plurality of client devices based upon the specific channel selection request.” (emphasis added).

Further, Applicant’s amended Independent Claim 37 as amended recites, *inter alia*, an “apparatus for channel mixing in a multimedia system, the apparatus comprises: . . .

memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receive, from a multimedia source, a set of selected channels as encoded channel data; *interpret the encoded channel data to identify a channel of interest of the set of selected channels based on a specific channel selection request*, wherein each channel of the set of selected channels has an associated data type; process the encoded channel data, which includes data of the channel of interest, based on the associated data type to produce generic data for each channel of the set of selected channels; *combine, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data*; and *transmit the stream of data to a plurality of client devices, wherein the channel of interest is accessible from the stream of data by a client device of the plurality of client devices based upon the specific channel selection request.*” (emphasis added).

Furthermore, Applicant’s amended Independent Claim 52 as amended recites, *inter alia*, an “apparatus for channel mixing in a multimedia system, the apparatus comprises: . . . memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receive, from a multimedia source, a set of selected channels as encoded channel data; *interpret the encoded channel data to identify a data type of a channel of interest contained within the set of selected channels based on a specific channel selection request*, wherein each channel of the set of selected channels has a data type; separate the channel of interest from the set of selected channels based on the data type; process the encoded channel data and the data of the identified channel of interest based on the data type of each channel of the set of selected channels to produce generic data; *combine, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data*; and *transmit the stream of data to a plurality of client devices, wherein the channel of interest is accessible by a client device of the plurality of client devices based upon the specific channel selection request.*” (emphasis added).

Accordingly, Applicant respectfully submits that each and every element forth in its claims is not found, either expressly or inherently described, in the expandable gateway

construction of Rakib. The identical invention as recited in Applicant's claims is not shown in as complete detail in the cited reference with respect to its Claim 1 and claims 2 through 15 that depend directly or indirectly therefrom, to its Claim 16 and claims 17-27 that depend directly or indirectly therefrom, to its Claim 28 and claims 29 through 36 that depend directly or indirectly therefrom, to its Claim 27 and claims 38 through 51 that depend directly or indirectly therefrom, and to its Claim 52 and claims 53 through 63 that depend directly or indirectly therefrom. Applicant respectfully requests that the rejection to these claims be withdrawn.

2. Conclusion

As a result of the foregoing, the Applicant respectfully submits that Claims 1-63 in the Application are in condition for allowance, and respectfully requests allowance of such Claims.

If any issues arise, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ksmith@texaspatents.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126.

Respectfully submitted,

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